

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION**

CLERK'S OFFICE U.S. DIST. COURT
AT ROANOKE, VA
FILED
JAN 12 2006
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87
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JOSEPH F. MAXIE,) Civil Action No. 7:06CV00005
Plaintiff,)
v.) FINAL ORDER
DR. DAVID BARNES,) By Hon. Glen E. Conrad
Defendant.) United States District Judge

In accordance with the accompanying memorandum opinion, it is hereby

ORDERED

that the plaintiff's complaint shall be **DISMISSED** and **STRICKEN** from the active docket of the court, pursuant to 28 U.S.C. § 1915A(b)(1).

The Clerk is directed to send certified copies of this order and the accompanying memorandum opinion to the plaintiff and counsel of record for the defendants.

ENTER: This 12th day of January, 2006.

John C. Caudle

United States District Judge